SELLER'S DISCLOSURE NOTICE

©Texas Association of REALTORS®, Inc. 2022

Section 5.008, Property Code requires a seller of residential property of not more than one dwelling unit to deliver a Seller's Disclosure Notice to a buyer on or before the effective date of a contract. **This form complies with and contains additional disclosures which exceed the minimum disclosures required by the Code.**

CONCERNING THE PROPERTY AT: **1509 Park Ave, Abilene, Texas 79603**

THIS NOTICE IS A DISCLOSURE OF SELLER'S KNOWLEDGE OF THE CONDITION OF THE PROPERTY AS OF THE DATE SIGNED BY SELLER AND IS NOT A SUBSTITUTE FOR ANY INSPECTIONS OR WARRANTIES THE BUYER MAY WISH TO OBTAIN. IT IS NOT A WARRANTY OF ANY KIND BY SELLER, SELLER'S AGENTS, OR ANY OTHER AGENT.

Seller ☐ is ☒ is not occupying the property. If unoccupied (by Seller), how long since Seller has occupied the Property? _____ (approximate date) or ☒ never occupied the Property

Section 1. The Property has the items marked below: (Mark Yes (Y), No (N), or Unknown (U).)

This Notice does not establish the items to be conveyed. The contract will determine which items will & will not convey.

Item	Y	N	U
Cable TV Wiring	X		
Carbon Monoxide Det.		X	
Ceiling Fans	X		
Cooktop	X		
Dishwasher	X		
Disposal	X		
Emergency Escape Ladder(s)		X	
Exhaust Fan	X		
Fences	X		
Fire Detection Equipment		X	
French Drain		X	
Gas Fixtures		X	
Natural Gas Lines		X	

Item	Y	N	U
Liquid Propane Gas		X	
- LP Community (Captive)		X	
- LP on Property		X	
Hot Tub		X	
Intercom System		X	
Microwave	X		
Outdoor Grill		X	
Patio/Decking		X	
Plumbing System	X		
Pool		X	
Pool Equipment		X	
Pool Maint. Accessories		X	
Pool Heater		X	

Item	Y	N	U
Pump: ☐ sump ☐ grinder		X	
Rain Gutters		X	
Range/Stove	X		
Roof/Attic Vents		X	
Sauna		X	
Smoke Detector	X		
Smoke Detector Hearing Impaired		X	
Spa		X	
Trash Compactor		X	
TV Antenna		X	
Washer/Dryer Hookup	X		
Window Screens	X		
Public Sewer System	X		

Item	Y	N	U	Additional Information
Central A/C	X			☒ electric ☐ gas number of units: 1
Evaporative Coolers		X		number of units:
Wall/Window AC Units		X		number of units:
Attic Fan(s)		X		if yes, describe:
Central Heat	X			☒ electric ☐ gas number of units: 1
Other Heat		X		if yes, describe:
Oven	X			number of ovens: 1 ☒ electric ☐ gas ☐ other _____
Fireplace & Chimney		X		☐wood ☐ gas log ☐mock ☐ other _____
Carport		X		☐ attached ☐ not attached
Garage		X		☐ attached ☐ not attached
Garage Door Openers				number of units: number of remotes:
Satellite Dish & Controls		X		☐ owned ☐ leased from:
Security System		X		☐ owned ☐ leased from:
Solar Panels		X		☐ owned ☐ leased from:
Water Heater	X			☒ electric ☐ gas ☐ other _____ number of units: 1

Water Softener		X		☐ owned ☐ leased from:
Other Leased Item(s)		X		if yes, describe:
Underground Lawn Sprinkler		X		☐ automatic ☐ manual areas covered:
Septic / On-Site Sewer Facility		X		if Yes, attach Information About On-Site Sewer Facility.(TXR-1407)

Water supply provided by: ☐ city ☐ well ☒ MUD ☐ co-op ☐ unknown ☐ other: _____

Was the Property built before 1978? ☒ yes ☐ no ☐ unknown
(If yes, complete, sign, and attach TXR-1906 concerning lead-based paint hazards).

Roof Type: Composite (Shingles) Age: 1 (approximate)

Is there an overlay roof covering on the Property (shingles or roof covering placed over existing shingles or roof covering)? ☐ Yes ☒ No ☐ Unknown

Are you (Seller) aware of any of the items listed in this Section 1 that are not in working condition, that have defects, or are in need of repair? ☐ Yes ☒ No If Yes, describe:

Section 2. Are you (Seller) aware of any defects or malfunctions in any of the following?: (Mark Yes (Y) if you are aware and No (N) if you are not aware.)

Item	Y	N	Item	Y	N	Item	Y	N
Basement		X	Floors	X		Sidewalks		X
Ceilings		X	Foundation / Slab(s)		X	Walls / Fences		X
Doors		X	Interior Walls		X	Windows		X
Driveways		X	Lighting Fixtures		X	Other Structural Components		X
Electrical Systems		X	Plumbing Systems		X			
Exterior Walls		X	Roof		X			

If the answer to any of the items in Section 2 is Yes, explain (attach additional sheets if necessary):

Floors – slight rise to floor as you exit living room into hall into bedrooms from a floor furnace patch. Prior owner had cats and home had a distinct cat urine odor at purchase. To resolve odor 1) lime was sprinkled under existing floor and over earth in dirt floor garage 2) profession carpet cleaner used machine extractor with pet enzymes to extract wood floors. 3) floor was painted with two layers of oil based Kilz 4) vinyl plank flooring was installed over floor treated as described in 1-3.

Section 3. Are you (Seller) aware of any of the following conditions? (Mark Yes (Y) if you are aware and No (N) if you are not aware.)

Condition	Y	N	Condition	Y	N
Aluminum Wiring		X	Radon Gas		X
Asbestos Components		X	Settling		X
Diseased Trees: ☐ Oak Wilt		X	Soil Movement		X
Endangered Species/Habitat on Property		X	Subsurface Structure or Pits		X
Fault Lines		X	Underground Storage Tanks		X
Hazardous or Toxic Waste		X	Unplatted Easements		X
Improper Drainage		X	Unrecorded Easements		X
Intermittent or Weather Springs		X	Urea-formaldehyde Insulation		X
Landfill		X	Water Damage Not Due to a Flood Event		X
Lead-Based Paint or Lead-Based Pt. Hazards		X	Wetlands on Property		X
Encroachments onto the Property		X	Wood Rot		X
Improvements encroaching on others' property		X			

Located in Historic District		X
Historic Property Designation		X
Previous Foundation Repairs	X	
Previous Roof Repairs		X
Previous Other Structural Repairs		X
Previous Use of Premises for Manufacture of Methamphetamine		X

Active infestation of termites or other wood destroying insects (WDI)		X
Previous treatment for termites or WDI		X
Previous termite or WDI damage repaired	X	
Previous Fires		X
Termite or WDI damage needing repair		X
Single Blockable Main Drain in Pool/Hot Tub/Spa*		X

If the answer to any of the items in Section 3 is Yes, explain (attach additional sheets if necessary):

Previous Foundation Repairs – sill wall and pier installed in converted garage to support floor joists in added bath and bedroom

Previous termite or WDI damage repaired – non-active, pre-existing termite damage on wall at front door, adjacent front bedroom wall, and hall wall nearest front bedroom. Repaired as needed. City official saw and signed off on framing prior to installation of sheetrock.

*A single blockable main drain may cause a suction entrapment hazard for an individual.

Section 4. Are you (Seller) aware of any item, equipment, or system in or on the Property that is in need of repair, which has not been previously disclosed in this notice? ☐ Yes ☒ No If Yes, explain (attach additional sheets if necessary):

Section 5. Are you (Seller) aware of any of the following conditions?* (Mark Yes (Y) if you are aware and check wholly or partly as applicable. Mark No (N) if you are not aware.)

Y N

☐ ☒ Present flood insurance coverage.

☐ ☒ Previous flooding due to a failure or breach of a reservoir or a controlled or emergency release of water from a reservoir.

☐ ☒ Previous flooding due to a natural flood event.

☐ ☒ Previous water penetration into a structure on the Property due to a natural flood event.

☒ ☐ Located ☒ wholly ☐ partly in a 100-year floodplain (Special Flood Hazard Area-Zone A, V, A99, AE, AO, AH, VE, or AR).

☐ ☒ Located ☐ wholly ☐ partly in a 500-year floodplain (Moderate Flood Hazard Area-Zone X (shaded)).

☐ ☒ Located ☐ wholly ☐ partly in a floodway.

☐ ☒ Located ☐ wholly ☐ partly in flood pool.

☐ ☒ Located ☐ wholly ☐ partly in a reservoir.

If the answer to any of the above is yes, explain (attach additional sheets if necessary):

Located wholly or partly in a 100-year floodplain (Special Flood Hazard Area–Zone A, V, A99, AE, AO, AH, VE, or AR) – See FEMA map

If Buyer is concerned about these matters, Buyer may consult Information About Flood Hazards (TXR 1414).

**For purposes of this notice:*

"100-year floodplain" means any area of land that: (A) is identified on the flood insurance rate map as a special flood hazard area, which is designated as Zone A, V, A99, AE, AO, AH, VE, or AR on the map; (B) has a one percent annual chance of flooding, which is considered to be a high risk of flooding; and (C) may include a regulatory floodway, flood pool, or reservoir.

"500-year floodplain" means any area of land that: (A) is identified on the flood insurance rate map as a moderate flood hazard area, which is designated on the map as Zone X (shaded); and (B) has a two-tenths of one percent annual chance of flooding, which is considered to be a moderate risk of flooding.

"Flood pool" means the area adjacent to a reservoir that lies above the normal maximum operating level of the reservoir and that is subject to controlled inundation under the management of the United States Army Corps of Engineers.

"Flood insurance rate map" means the most recent flood hazard map published by the Federal Emergency Management Agency under the National Flood Insurance Act of 1968 (42 U.S.C. Section 4001 et seq.).

"Floodway" means an area that is identified on the flood insurance rate map as a regulatory floodway, which includes the channel of a river or other watercourse and the adjacent land areas that must be reserved for the discharge of a base flood, also referred to as a 100-year flood, without cumulatively increasing the water surface elevation more than a designated height.

"Reservoir" means a water impoundment project operated by the United States Army Corps of Engineers that is intended to retain water or delay the runoff of water in a designated surface area of land.

Section 6. Have you (Seller) ever filed a claim for flood damage to the Property with any insurance provider, including the National Flood Insurance Program (NFIP)?* ☐Yes ☒ No If yes, explain (attach additional sheets as necessary):

*Homes in high risk flood zones with mortgages from federally regulated or insured lenders are required to have flood insurance. Even when not required, the Federal Emergency Management Agency (FEMA) encourages homeowners in high risk, moderate risk, and low risk flood zones to purchase flood insurance that covers the structure(s) and the personal property within the structure(s).

Section 7. Have you (Seller) ever received assistance from FEMA or the U.S. Small Business Administration (SBA) for flood damage to the Property? ☐Yes ☒ No If yes, explain (attach additional sheets as necessary):

Section 8. Are you (Seller) aware of any of the following? (Mark Yes (Y) if you are aware. Mark No (N) if you are not aware.)

Y	N	
☒	☐	Room additions, structural modifications, or other alterations or repairs made without necessary permits, with unresolved permits, or not in compliance with building codes in effect at the time.

If Yes, please explain:

Converted single car garage to bedroom, bath and closet. Licensed plumber and electrician was used to do work mechanical work. City inspector has inspected framing, electric, plumbing. Roof was replaced by unlicensed roofing crew. HVAC installation was done by 2 licensed HVAC tradesmen working independent of a company with a mechanical license for HVAC work. No foundation work was performed other than installing a sill wall an enclosed entry to garage along with concrete piers in center of former garage to support floor joists.

☐ ☒ Homeowners' associations or maintenance fees or assessments.

If Yes, complete the following:
Name of association: _____
Manager's name: _____ Phone: _____
Fees or assessments are: $_____ per _____ and are: ☐ mandatory ☐ voluntary
Any unpaid fees or assessment for the Property? ☐ yes ($_____) ☐ no
If the Property is in more than one association, provide information about the other associations below:
_____

☐ ☒ Any common area (facilities such as pools, tennis courts, walkways, or other) co-owned in undivided interest with others.

If Yes, complete the following:
Any optional user fees for common facilities charged? ☐ Yes ☐ No

If Yes, please explain:

☐ ☒ Any notices of violations of deed restrictions or governmental ordinances affecting the condition or use of the Property.

If Yes, please explain:

☐ ☒ Any lawsuits or other legal proceedings directly or indirectly affecting the Property. (Includes, but is not limited to: divorce, foreclosure, heirship, bankruptcy, and taxes.)

If Yes, please explain:

☐ ☒ Any death on the Property except for those deaths caused by: natural causes, suicide, or accident unrelated to the condition of the Property.

If Yes, please explain:

☐ ☒ Any condition on the Property which materially affects the health or safety of an individual.

If Yes, please explain:

☐ ☒ Any repairs or treatments, other than routine maintenance, made to the Property to remediate environmental hazards such as asbestos, radon, lead-based paint, urea-formaldehyde, or mold.

If Yes, attach any certificates or other documentation identifying the extent of the remediation (for example, certificate of mold remediation or other remediation).

☐ ☒ Any rainwater harvesting system located on the Property that is larger than 500 gallons and that uses a public water supply as an auxiliary water source.

If Yes, please explain:

☐ ☒ The Property is located in a propane gas system service area owned by a propane distribution system retailer.

If Yes, please explain:

☐ ☒ Any portion of the Property that is located in a groundwater conservation district or a subsidence district.

If Yes, please explain:

Section 9. Within the last 4 years, have you (Seller) received any written inspection reports from persons who regularly provide inspections and who are either licensed as inspectors or otherwise permitted by law to perform inspections? ☐Yes ☒ No

Note: A buyer should not rely on the above-cited reports as a reflection of the current condition of the Property. A buyer should obtain inspections from inspectors chosen by the buyer.

Section 10. Check any tax exemption(s) which you (Seller) currently claim for the Property:

☐ Homestead ☐ Senior Citizen ☐ Disabled
☐ Wildlife Management ☐ Agricultural ☐ Disabled Veteran
☐ Other: _____ ☐ Unknown

Section 11. Have you (Seller) ever filed a claim for damage, other than flood damage, to the Property with any insurance provider?
☐ Yes ☒ No

Section 12. Have you (Seller) ever received proceeds for a claim for damage to the Property (for example, an insurance claim or a settlement or award in a legal proceeding) and not used the proceeds to make the repairs for which the claim was made? ☐ Yes ☒ No

If yes, explain:

Section 13. Does the Property have working smoke detectors installed in accordance with the smoke detector requirements of Chapter 766 of the Health and Safety Code?* ☒ Yes ☐ No ☐ Unknown

If No or Unknown, explain (Attach additional sheets if necessary):

**Chapter 766 of the Health and Safety Code requires one-family or two-family dwellings to have working smoke detectors installed in accordance with the requirements of the building code in effect in the area in which the dwelling is located, including performance, location, and power source requirements. If you do not know the building code requirements in effect in your area, you may check unknown above or contact your local building official for more information.*

A buyer may require a seller to install smoke detectors for the hearing impaired if: (1) the buyer or a member of the buyer's family who will reside in the dwelling is hearing-impaired; (2) the buyer gives the seller written evidence of the hearing impairment from a licensed physician; and (3) within 10 days after the effective date, the buyer makes a written request for the seller to install smoke detectors for the hearing-impaired and specifies the locations for installation. The parties may agree who will bear the cost of installing the smoke detectors and which brand of smoke detectors to install.

Seller acknowledges that the statements in this notice are true to the best of Seller's belief and that no person, including the broker(s), has instructed or influenced Seller to provide inaccurate information or to omit any material information.

John A. Hill 12/27/2022

Signature of Seller Date | Signature of Seller Date

Printed Name: John Hill | Printed Name:

ADDITIONAL NOTICES TO BUYER:

(1) The Texas Department of Public Safety maintains a database that the public may search, at no cost, to determine if registered sex offenders are located in certain zip code areas. To search the database, visit https://publicsite.dps.texas.gov/SexOffenderRegistry. For information concerning past criminal activity in certain areas or neighborhoods, contact the local police department.

(2) If the Property is located in a coastal area that is seaward of the Gulf Intracoastal Waterway or within 1,000 feet of the mean high tide bordering the Gulf of Mexico, the Property may be subject to the Open Beaches Act or the Dune Protection Act (Chapter 61 or 63, Natural Resources Code, respectively) and a beachfront construction certificate or dune protection permit may be required for repairs or improvements. Contact the local government with ordinance authority over construction adjacent to public beaches for more information.

(3) If the Property is located in a seacoast territory of this state designated as a catastrophe area by the Commissioner of the Texas Department of Insurance, the Property may be subject to additional requirements to obtain or continue windstorm and hail insurance. A certificate of compliance may be required for repairs or improvements to the Property. For more information, please review Information Regarding Windstorm and Hail Insurance for Certain Properties (TAR 2518) and contact the Texas Department of Insurance or the Texas Windstorm Insurance Association.

(4) This Property may be located near a military installation and may be affected by high noise or air installation compatible use zones or other operations. Information relating to high noise and compatible use zones is available in the most recent Air Installation Compatible Use Zone Study or Joint Land Use Study prepared for a military installation and may be accessed on the Internet website of the military installation and of the county and any municipality in which the military installation is located.

(5) If you are basing your offers on square footage, measurements, or boundaries, you should have those items independently measured to verify any reported information.

(6) The following providers currently provide service to the Property:

Electric:	TXU (ESID house 10204049721768840; ESID ODL 10204049716791842)	Phone #	(800) 818-6132
Sewer:	City of Abilene	Phone #	(325) 676-6405
Water:	City of Abilene	Phone #	(325) 676-6405
Cable:	n/a	Phone #	n/a
Trash:	City of Abilene	Phone #	(325) 676-6405
Natural Gas:	n/a	Phone #	n/a
Phone Company:	n/a	Phone #	n/a
Propane:	n/a	Phone #	n/a
Internet:	n/a	Phone #	n/a

(7) This Seller's Disclosure Notice was completed by Seller as of the date signed. The brokers have relied on this notice as true and correct and have no reason to believe it to be false or inaccurate. YOU ARE ENCOURAGED TO HAVE AN INSPECTOR OF YOUR CHOICE INSPECT THE PROPERTY.

The undersigned Buyer acknowledges receipt of the foregoing notice.

Signature of Buyer Date | Signature of Buyer Date

Printed Name: _____ Printed Name: _____